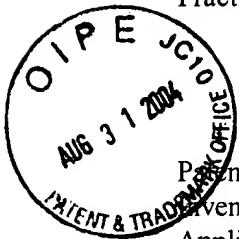


09-02-04

B/S

Practitioner's Docket No. D-1159 R2

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. 6,783,061

Issue Date: 08/31/2004

Inventors: H. Thomas Graef, et al.

Application No.: 09/992,357

Filed: November 13, 2001

For: Automated Banking Machine

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Identification of Person(s) Making this Disclaimer

I, Ralph E. Jocke, represent that I am the attorney of record for this invention.

IDENTITY OF ASSIGNEE AND TITLE OF DISCLAIMANT

The assignee is Diebold, Incorporated, 5995 Mayfair Road, North Canton, Ohio 44720.

EXTENT OF DISCLAIMANT'S INTEREST

The extent of the interest in this invention that the disclaimant owns is the whole of this invention.

The disclaimant is the assignee.

A copy of a Power of Attorney signed on behalf of the assignee is enclosed.

CERTIFICATION UNDER 37 C.F.R. §§ 1.18(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence and the items indicated as enclosed herewith are being:

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Deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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37 C.F.R. § 1.10*
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Signature

Ralph E. Jocke
(type or print name of person certifying)

Date: 8/31/2004

*Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

RECORDAL OF ASSIGNMENT IN PTO

The assignment was recorded on November 13, 2001

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DISCLAIMER

Diebold, Incorporated hereby disclaims, except as provided below, the terminal part of the term of Patent No. 6,783,061 (the "'061 Patent'"), which would extend beyond the expiration date of Patent No. 6,774,986 (the "'986 Patent'") as presently shortened by any terminal disclaimer. Diebold, Incorporated hereby agrees that the '061 Patent shall be enforceable only for and during such period that such '061 Patent and the '986 Patent are commonly owned. This agreement runs with the '061 Patent and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of the term of the '061 Patent that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the '986 Patent, as presently shortened by any terminal disclaimer, in the event that the '986 Patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The submission of this disclaimer shall not constitute an admission that any claims of the '061 Patent would be obvious in view of the claims of the '986 Patent, or vice versa.

DISCLAIMER FEE (37 C.F.R. § 1.20(d))

Other than a small entity -- fee \$110.00

FEE PAYMENT

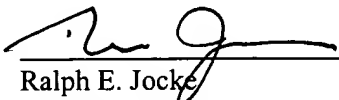
Authorization is hereby made to charge the amount of \$ 110 to Deposit Account No. 09-0428.

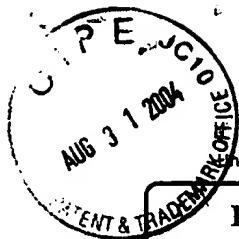
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: August 31, 2004

Reg. No.: 31,029
Customer No.: 28995


Ralph E. Jocke
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Medina, Ohio 44256
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PTO/SB/80 (12-03)

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Name	Registration Number
Ralph E. Jocke	31,029
Christopher L. Parmelee	42,980
Daniel D. Wasil	45,303
Nancy L. Reeves	46,225

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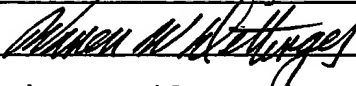
Assignee Name and Address:

Diebold, Incorporated
5995 Mayfair Road
North Canton, Ohio 44720

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Warren W. Dettinger		
Signature		Date	June 25, 2004
Title	Vice President and General Counsel	Telephone	330-490-5037

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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